

|  |   |
|--|---|
| Prepared By:<br>Dumas & McPhail<br>126 Government St<br>Mobile, AL 36602<br>251-438-2333 | Return To:<br>Dumas & McPhail<br>126 Government St<br>Mobile, AL 36602  |
| Grantor:<br>Kent D. McPhail<br>126 Government St<br>Mobile, AL 36602<br>251-438-2333     | Grantee:<br>U.S. Bank National Association, as<br>Trustee for the Certificate Holders of<br>the Mortgage Pass-Through<br>Certificates 1997-R3<br>1661 Worthington Road Ste 100<br>West Palm Beach, FL 33409<br>561-682-7000 |

Indexing Instructions: Lot 14, Section A, Wildwood West Sub, Sec 4, T-2-S, R-7-W,  
DeSoto County, MS PB 25 Pg 23-24

#### SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on June 26, 1987, Stephen F. Hill and Judy P. Hill, executed a deed of trust to H. Joseph Inderbitzen, Trustee for the benefit of Lumbermen's Investment Corporation, which deed of trust is recorded in Book 407 at Page 473 in the office of the Chancery Clerk of County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid deed of trust was assigned to U.S. Bank National Association, as Trustee for the Certificate Holders of the Mortgage Pass-Through Certificates 1997-R3, by instrument dated July 8, 2011, and recorded in Book 3335 at Page 515 of the records of the aforesaid Chancery Clerk;

WHEREAS, the aforesaid, U.S. Bank National Association, as Trustee for the Certificate Holders of the Mortgage Pass-Through Certificates 1997-R3, the holder of said

deed of trust and the note secured thereby, and by virtue of the Power of Attorney recorded at Book 138, Page 686, substituted Kent D. McPhail, as Trustee therein, as authorized by the terms thereof, by instrument dated September 12, 2011, and recorded in the office of the aforesaid Chancery Clerk in Book 3345 at Page 647; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said deed of trust, and the legal holder of said indebtedness, U.S. Bank National Association, as Trustee for the Certificate Holders of the Mortgage Pass-Through Certificates 1997-R3, having requested the undersigned Substituted Trustee to execute the trust and sell land and property in accordance with the terms of said deed of trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substituted Trustee's fees and expense of sale;

WHEREAS, the undersigned Substituted Trustee, did by an auctioneer, duly empowered by Kent D. McPhail, after posting and publication of the Notice of Sale as required by the terms of said deed of trust and the laws of the State of Mississippi, within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.), on the 1<sup>st</sup> day of December, 2011, at public outcry offered the hereinafter described property for sale at the East front steps of the DeSoto County Courthouse, Hernando, Mississippi.

WHEREAS, at such sale, U.S. Bank National Association, as Trustee for the Certificate Holders of the Mortgage Pass-Through Certificates 1997-R3, bid the sum of

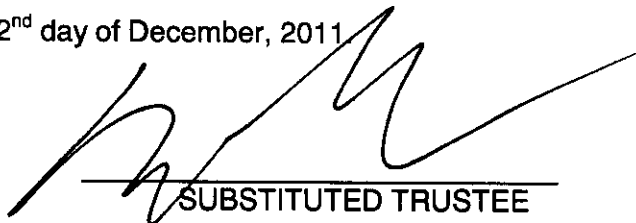
\$68,000.00; and

WHEREAS, said bid by U.S. Bank National Association, as Trustee for the Certificate Holders of the Mortgage Pass-Through Certificates 1997-R3, was the highest bid;

NOW, THEREFORE, I, KENT D. MCPHAIL, Substituted Trustee, in consideration of the sum of \$68,000.00, do hereby sell and convey unto U.S. Bank National Association, as Trustee for the Certificate Holders of the Mortgage Pass-Through Certificates 1997-R3 the following described property located and situated in the County of DeSoto, State of Mississippi, to-wit:

Lot 14, Section A, Wildwood West Subdivision, in Section 4, Township 2 South, Range 7 West, DeSoto County, Mississippi, as shown by the plat appearing of record in Plat Book 25, Pages 23-24, in the office of the Chancery Clerk of DeSoto County, Mississippi.

WITNESS MY SIGNATURE, this, the 2<sup>nd</sup> day of December, 2011



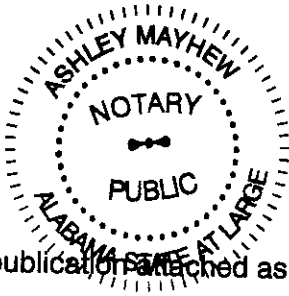
SUBSTITUTED TRUSTEE

STATE OF ALABAMA )

COUNTY OF MOBILE )

PERSONALLY came and appeared before me, the undersigned authority in and for the county and state aforesaid, KENT D. MCPHAIL, Substituted Trustee, who acknowledged to and before me that he signed and delivered the foregoing Substituted Trustee's Deed of the day and year therein mentioned, and for the purposes therein expressed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this, the 2<sup>nd</sup> day of December, 2011.



*Ashley Mayhew*  
 NOTARY PUBLIC  
 My Commission Expires: 7/26/15

\*\*Proof of publication attached as an Exhibit.

# DESOTO TIMES-TRIBUNE

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

### SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on June 26, 1997, Stephen F. Hill and Judy P. Hill, executed a certain deed of trust to H. Joseph Inderbitzen, Trustee for the benefit of Lumbermen's Investment Corporation, which deed of trust is of record in the office of the Chancery Clerk of DESOTO County, State of Mississippi in Book 407 at Page 473; and WHEREAS, said deed of trust was transferred and assigned to U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE MORTGAGE PASS-THROUGH CERTIFICATES 1997-R3 and recorded August 29, 2011 in Deed Book 3335, Page 515, and WHEREAS, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE MORTGAGE PASS-THROUGH CERTIFICATES 1997-R3 has heretofore substituted Kent D. McPhail as Trustee by instrument dated September 12, 2011 and recorded in the aforesaid Chancery Clerk's Office in Book 3345 at Page 647; and WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE MORTGAGE PASS-THROUGH CERTIFICATES 1997-R3, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale. NOW, THEREFORE, I, Kent D. McPhail, Substituted Trustee in said deed of trust, will on December 1, 2011 offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the East Front Steps of the County

Volume No. 116 on the 3 day of Nov., 2011

Volume No. 116 on the 10 day of Nov., 2011

Volume No. 116 on the 17 day of Nov., 2011

Volume No. 116 on the 24 day of Nov., 2011

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2011

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2011

*Diane Smith*

Courthouse of DESOTO County, 2535 Highway 51 South, located at Hernando, MS, to the highest and best bidder for cash the following described property situated in DESOTO County, State of Mississippi, to-wit: Lot 14, Section A, Wildwood West Subdivision, in Section 4, Township 2 South, Range 7 West, DeSoto County, Mississippi, as shown by the plat appearing of record in Plat Book 25, Pages 23-24, in the office of the Chancery Clerk of DeSoto County, Mississippi. I WILL CONVEY only such title as vested in me as Substituted Trustee.

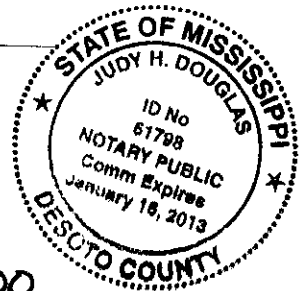
Kent D. McPhail SUBSTITUTED TRUSTEE Dumas & McPhail 128 Government Street Mobile, AL 36602 (251) 438-2333  
Publication Dates: November 3, 10, 17, ad 24, 2011

Sworn to and subscribed before me, this 28 day of Nov., 2011

BY

*Judy H. Douglas*

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2013  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



A. Single first insertion of 410 words @ .12 \$ 49.20  
B. 3 subsequent insertions of 1230 words @ .10 \$ 123.00  
C. Making proof of publication and depositing to same \$ 3.00  
TOTAL PUBLISHER'S FEE: \$ 175.20

2445 Hwy. 51 South, Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229